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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,734	04/27/2001	Daryl Carvis Cromer	RPS92000031US1	1561
7590	09/30/2004		EXAMINER	
BRACEWELL & PATTERSON, L.L.P. INTELLECTUAL PROPERTY LAW P.O. BOX 969 AUSTIN,, TX 78767-0969			DINH, MINH	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/844,734	CROMER ET AL.	
	Examiner	Art Unit	
	Minh Dinh	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 4/27/01 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/27/2001.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. Claims 1-21 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4, 6-8, 11, 13-15, 18 and 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Gehrmann et al. (6,779,111).

- a. Regarding claims 1 and 4 which are representative of claims 8, 11, 15 and 18, Gehrmann discloses a method comprising:

receiving a request for a data transaction from a client lacking hardware cryptography functionality, together with the client's identification which meets the limitation of security parameters specific to the client, at a sever through a secure connection between the client and the server (col. 1, lines 11-14; col. 1, line 65 – col. 2, line 16);

encrypting the requested data transaction within the server on behalf of the client utilizing hardware cryptography functionality available within the server (fig. 2); and

after encrypting the requested data transaction, forwarding the encrypted data transaction to a target of the requested data transaction as if originating from the client (fig. 2).

b. Regarding claims 6-7, 13-14 and 20-21, Gehrman does not explicitly disclose that the server receives a response to the encrypted data transaction, decrypts the received response and forwards the processed response to the client. However, these limitations are deemed to be inherent to the Gehrman method as line 65 of column 1 through line 7 of column 2 show that the time needed for the client to perform RSA encryption operations is unacceptable and so the client relies on the trusted server to perform those computationally expensive operations. The Gehrman client would not have access to the plaintext response if the RSA-encrypted response were not decrypted by the proxy server first before being forwarded to the client.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gehrman as applied to claims 1, 8 and 15 above, and further in view of Stallings (Cryptography And Network Security). Gehrman does not disclose that the secure

connection between the client and the server is an IPSec connection. Stallings discloses using an IPSec connection to secure communications (p. 400, fig. 13.1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gehrman method to use an IPSec connection between the client and the server, as taught by Stallings. The motivation for doing so would have been that IPSec is transparent to applications so there is no need to change upper-layer software (p. 400-401, Benefits of IPSec).

6. Claims 3, 10 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gehrman as applied to claims 1, 8 and 15 above, and further in view of Masumoto et al. (Speeding Up Secret Computations with Insecure Auxiliary Devices). Gehrman does not disclose that the server receives encryption keys or a digital certificate assigned to the client. Masumoto discloses a server receiving encryption keys assigned to the client to perform cryptographic processing on behalf of the client (p. 497-498, Section 1, Introduction, "If a server is trustworthy ... behalf of the client"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gehrman method such that the server receives encryption keys assigned to the client, as taught by Masumoto, in order for the server to perform cryptographic processing on behalf of the client.

7. Claims 5, 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gehrman as applied to claims 1, 8 and 15 above, and further in view of Stallings.

Gehrman does not disclose that the server forwards the processed data transaction via an SSL transaction. Stallings discloses using SSL to provide Web security in electronic commerce (p. 441, Introduction, "Virtually all business ... SSL/TLS and SET"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gehrman method such that the server forwards the processed data transaction via an SSL transaction, as taught by Stallings. SSL is becoming increasingly important as part of Web commerce.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dinh whose telephone number is 703-306-5617. The examiner can normally be reached on Mon - Fri: 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2132

MD

Minh Dinh
Examiner
Art Unit 2132

MD

9/22/04

Gilberto Barron
GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100